

**MINUTES
PUTNAM COUNTY REGIONAL PLANNING COMMISSION
JANUARY 3, 2023**

The Putnam County Regional Planning Commission met on January 3, 2023 at the Cookeville Community Center at 6:00 PM. Members attending were Chairman Jere Mason, Secretary Dale Moss, Vice-Chairman Terry Randolph, Adam Johnson, David Mattson, Ted McWilliams, and Phil Wilbourn. Members Jim Martin and Jeff Jones and were absent. Also present were Planning Director Kevin Rush, Planning Commission Engineer Patrick Rinks, County Road Supervisor Randy Jones, County Attorney Jeffrey Jones, Larry Harris, Mary Harris, Tamara Farley, Lavonda Moore, Kevin Waite, Ryan Waite, Jeffery Farley, Anthony Farley, Wesley Young, Jim Dawson, Dow Harris, Karen Harris, Kathy Randolph, Mandy Young, Robert Young, Matt Sliger, Allen Maples of Maples Surveying, Taylor Dillehay of Whittenburg Surveying, Betsy Scarborough of Stonecom Radio, and Jim Herrin with the Herald-Citizen.

ITEM 1: CALL TO ORDER AND ROLL CALL.

Chairman Jere Mason called the meeting to order after a quorum was established.

ITEM 2: APPROVE THE JANUARY 3, 2023, AGENDA.

Planning Director Rush stated that a plat had inadvertently been left off the agenda and should be added to the agenda as 8C. Adam Johnson moved to approve the agenda for the January 3, 2023 meeting with the addition of item 8C. Motion was seconded and approved unanimously.

ITEM 3: MINUTES OF THE DECEMBER 6, 2022.

Adam Johnson moved to approve the December 6, 2022 Minutes. Motion was seconded and approved unanimously.

ITEM 4: REVIEW OF APPROVED PRELIMINARY PLATS

- **Autumn Woods Preliminary Plat (All Phases)**, Vick Surveying. Conditional preliminary approval 4/7/2020. Phases I, II & III have been approved for final. Phase IV remaining.
- **Mountain Brooke Subdivision Preliminary Plat**, Vick Surveying. Conditional preliminary approval 12/8/2020.
- **Glen Oaks Preliminary Plat**, Whittenburg Surveying. Conditional preliminary approval 6/1/2021. Phase I was a single lot approved administratively. Phase II remaining.
- **Pippin Estates Preliminary Plat**, Maples Surveying. Conditional preliminary approval 12/7/2021. Phase II remaining.
- **Forsythia Farms Preliminary Plat**, Whittenburg Surveying. Conditional revised preliminary approval 6/7/2022.
- **Beechtree Park Preliminary Plat**, Vick Surveying. Conditional preliminary approval 6/7/2022.
- **Cane Creek Farms Preliminary Plat**, Batson, Himes, Norvell & Poe Surveying. Conditional preliminary approval 6/7/2022.

ITEM 5: ACCEPTANCE OF NEW STREETS:

- None

ITEM 6: OUTSTANDING LETTERS OF CREDIT:

- None

ITEM 7: ADMINISTRATIVELY APPROVED PLATS:

A. SPURLOCK DIVISION, VICK SURVEYING

This plat was to divide one 5.81-acre tract on Amber Meadow Road and Eller Ridge Rd (parcel 095-098.00) into one 2.46 acre lot on Amber Meadow Road with the remaining 3.35 acres being combined with an existing lot on Eller Ridge Road (095-097.00).

This plat was to create one 1.345-acre lot at the corner of Baxter Road and Window Cliff Road from parcel 093-039.01.

A. WATERMARK AT CENTER HILL SUBDIVISION PRELIMINARY PLAT, MAPLES SURVEYING

[illegible]

Staff stated he and Patrick and done a site visit that morning and showed the following pictures taken during the site visit:







These pictures were taken just before the entrance to the site on the county road. This approximate 300-foot long section of road is approximately 10 feet in width and gravel/tar and chip.

Developer was planning to run approximately 9,500 feet of 6" water line to the property from Nash Road, install one hydrant outside of the subdivision and had an agreement letter from Cookeville Boat Dock Road Utility District.

Staff explained that back in July, a new state law became effective that prohibits a government from requiring the any offsite improvements as part of the approval of any development without a proper traffic study to determine the rough proportionality as to such off-site improvements.

This new law is based on three Supreme Court takings cases referred to as Nolan, Dollan, and Koontz. In Nolan, there must be a "nexus" between what a developer is being required to do and the development. Dollan stated there must be a "rough proportionality" between what a developer is being required to do and the development. Koontz applied these (nexus and rough proportionality) requirements to monetary exaction actions in development.

In short, the planning commission cannot require the developer to do any off-site work (such as widening, paving, etc.) along the county road as part of the approval process for the proposed subdivision. Without a proper traffic study, all the planning commission can do is deny a development wherein off-site improvements are required until such improvements are completed.

Matt Sliger, developer, stated his plans included widening the section shown on the pictures to meet current regulations, but that it would be cost prohibitive to widen all of Medlin Road. Staff reiterated that the planning commission could not condition any approval of the development on any off-site work, even if volunteered by the developer, without a proper traffic study to determine the rough proportionality as to such off-site improvements.

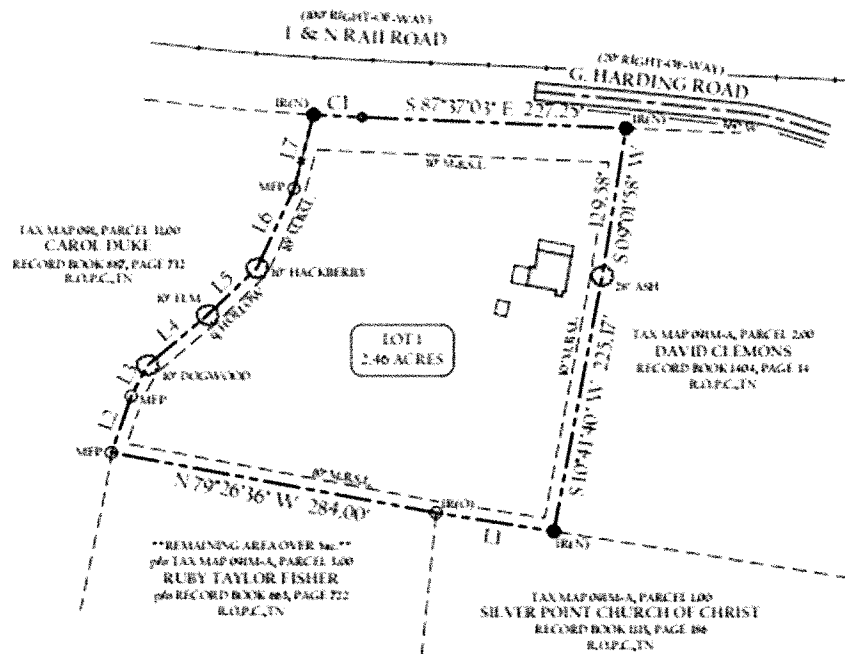
All agreed it would not be wise to improve the road and then possibly tear it up while developing the new roads.

Engineer Rinks expressed concerns that even if the Developer widened the narrow section of road at the end, dead end Medlin Road would not be sufficient at 16' wide with some sharp turns to handle the additional traffic in its current condition. Rinks and Randy Jones suggested a minimum road width of 18 feet.

After much discussion, Dale Moss moved to defer this plat for one month so that members of the planning commission can go look at the site. Motion was seconded and unanimously approved.

B. RUBY TAYLOR FISHER DIVISION FINAL PLAT, WHITTENBURG SURVEYING

This plat is create one 2.46-acre lot from an 8.8 acre tract (091M A 003.00). The lot will be on G Harding Road, which is a 370 foot long, 12-foot wide tar and chip county road with some of the right-of-way being on the railroad right-of-way and the rest being 20 foot wide.



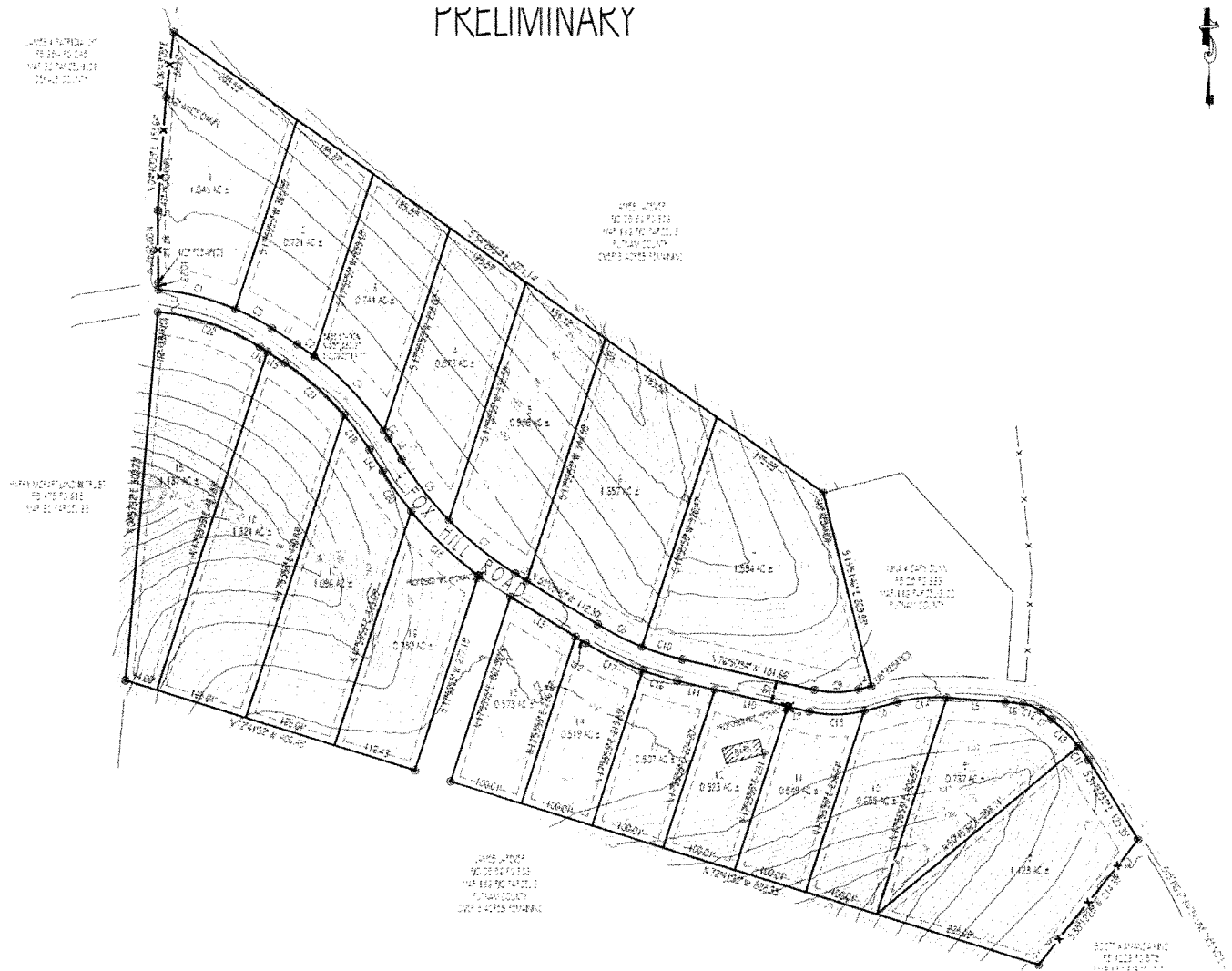


The discussion on this plat focused on the county road being on the railroad right-of-way. Planning Director Rush stated that he was concerned that if the railroad ever decided to close the right-of-way, this lot would be stuck without any access at all. Randy Jones stated that there is no record of any agreement between the county and the railroad with regard to maintained access for the road. Dale Moss stated the road may have been to serve a cell tower on the Clemons tract. Jere Mason stated that in his dealings with the railroads while working for the gas department, they were very protective of the right-of-way and would limit what was done on the right-of-way. He recommended the developer get a letter from the railroad stating that they were aware of the road on the right-of-way and they would not close the County Road or prevent access to the lot.

After much discussion, Dave Mattson moved to grant conditional approval subject to a letter from the railroad as per Jere's recommendation. Motion was seconded and unanimously approved.

C. JAMES LAFEVER SUBDIVISION PRELIMINARY PLAT, WHITTENBURG SURVEYING

This plat is create 19 lots from parcel 016-003.00 at the end of Fox Hill Road. The county road list showed this road to be 14 feet of tar and chip surfacing with 26 feet of right-of-way. Randy Jones stated he thought the road had been widened but was unsure of the exact width. Staff had not visited the site. After some discussion, Adam Johnson moved to defer this plat for one month so that staff and members of the planning commission can go look at the site. Motion was seconded and unanimously approved..



ITEM 9: Other Business: Subdivision regulation amendment discussion. Planning Director Rush stated that he had scheduled a public hearing at the February Meeting to consider these amendments to the subdivision regulations:

- Removal of Certified checks and Money Orders as acceptable surety instruments.
- Discussion of traffic study requirements.
- TCA 13-3-403(d)1 required language addition.

ITEM 10: STAFF REPORTS

- Report from Chairman: None
- Report from Planning Commission Engineer: None
- Report from Planning Director: None
- Report from other Members: None

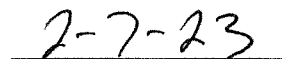
Minutes of the Putnam County Regional Planning Commission January 3, 2023 Meeting

ITEM 11: ADJOURNMENT

With no further business to discuss, the meeting was adjourned by mutual consent.



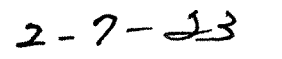
Chairman



Date



Secretary



Date